

ENROLLED ORDINANCE 159-28

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF WAUKESHA ZONING  
ORDINANCE BY REVISING THE CONDITION OF A PREVIOUS CONDITIONAL  
REZONING (ENROLLED ORDINANCE NO. 153-129), FOR CERTAIN LANDS LOCATED  
IN THE SW ¼ OF SECTION 10, T6N, R19E, TOWN OF WAUKESHA  
(ZT-1237C)

WHEREAS the subject matter of this Ordinance having been approved by the Waukesha Town Board on April 22, 2004, after Public Hearing, and the giving of requisite notice of said hearing, and duly referred to and considered by the Waukesha County Park and Planning Commission, and a recommendation for approval, thereon reported to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, as required by Section 60.61 of the Wisconsin State Statutes, and

WHEREAS in 1999, Enrolled Ordinance No. 153-129 previously approved a conditional rezoning of the District Zoning Map for the Town of Waukesha Zoning Ordinance for the lands described in the title above, but specifically did not allow for restaurants with drive-thru lanes or fast-food restaurants, and

WHEREAS, it is now believed that the site may be appropriate for fast-food and other restaurants without drive-thru lanes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the District Zoning Map for the Town of Waukesha Zoning Ordinance, adopted by the Town of Waukesha on June 24, 1979, is hereby amended to revise the conditional rezoning allowed by Enrolled Ordinance No. 153-129, [reference (ZT-1237C)], for certain lands located in the SW ¼ of Section 10, T6N, R19E, Town of Waukesha and more specifically described in the "Staff Report and Recommendation" on file in the office of the Waukesha County Department of Parks and Land Use, and made a part of this Ordinance by reference, subject to the following:

Paragraph (g) of Exhibit A-3, Exhibit A of Enrolled Ordinance No. 153-129 is revised to read as follows:

(g) Uses on the site shall be allowed, as set forth in the B-3, General Business District, except the following uses shall expressly be prohibited: vehicle sales, new or used; storage yards and garages for equipments, supplies, or vehicles; storage of junk automobiles or parts; dry cleaning, dying, and laundry establishments, except that drop off and pick up stations for laundry/dry cleaning establishments may be allowed; lockers or cold storage plants; gasoline stations; vehicle repair; dance halls and amusement places; restaurants with drive-thru lanes; wholesalers and distributors; mini warehouses; and theaters.

BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Waukesha.

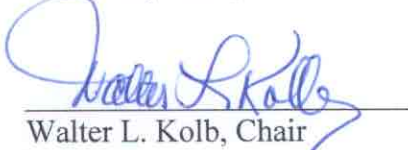
BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

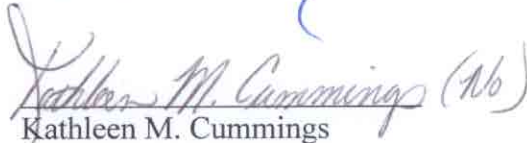
BE IT FURTHER ORDAINED that all ordinances inconsistent with or in contravention of provisions of this Ordinance are hereby repealed.

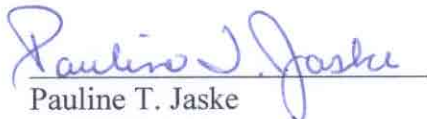
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IN THE SW ¼ OF SECTION 10, T6N, R19E, TOWN OF WAUKESHA (ZT-1237C)


Presented by:

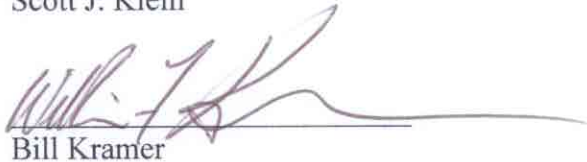
Land Use, Parks, and Environment Committee

  
Walter L. Kolb, Chair

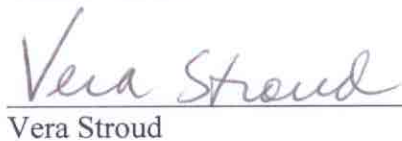
 (No)  
Kathleen M. Cummings

  
Pauline T. Jaske

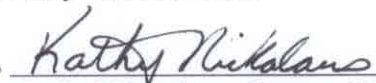
 DID NOT VOTE (NOT PRESENT)  
Scott J. Klein

  
Bill Kramer

  
Daniel Pavelko

  
Vera Stroud

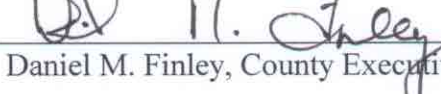
The foregoing legislation adopted by the County Board of Supervisors of Waukesha County,  
Wisconsin, was presented to the County Executive on:

Date: 7/30/04,   
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County,  
Wisconsin, is hereby:

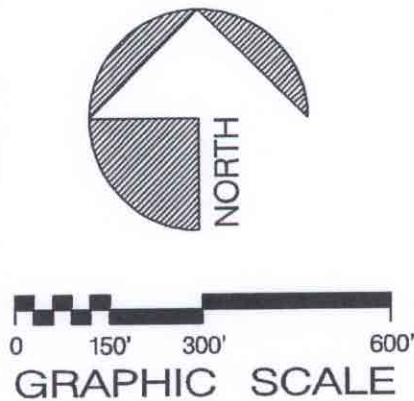
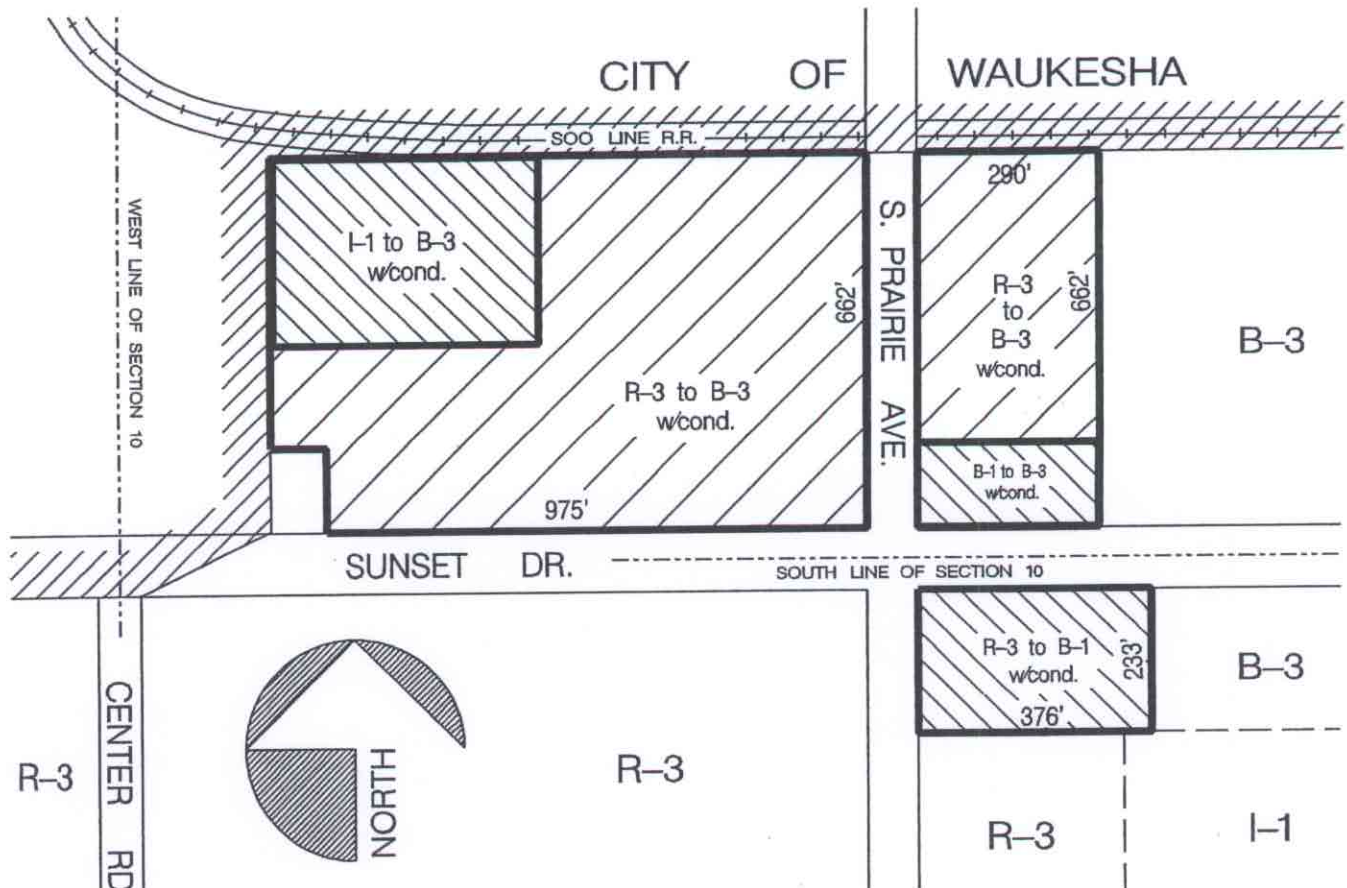
Approved: ✓

Vetoed:

Date: 8-2-04,   
Daniel M. Finley, County Executive

# ZONING CHANGE

PART OF THE SW 1/4 OF SEC. 10 & NW 1/4 OF SEC. 15  
TOWN OF WAUKESHA



AMENDMENT OF CONDITIONS  
FROM PREVIOUS REZONE  
(ZT-1237A & B)

FILE..... ZT-1237C

DRAWN.....(REVISED) 6-03-04

SCALE..... 1" = 300'

AREA.....17.5 acres



LOCATION MAP

WAUKESHA COUNTY PARKS & LAND USE DEPARTMENT

159-0-030

5.

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-07/27/04

(ORD) NUMBER-1590030

1 K. HERRO.....AYE  
3 D. STAMSTA.....AYE  
5 J. MARCHESE.....AYE  
7 J. JESKEWITZ.....AYE  
9 P. HAUKOHL.....AYE  
11 K. HARENDA.....AYE  
13 J. MORRIS.....AYE  
15 D. SWAN.....AYE  
17 J. BEHREND.....AYE  
19 W. MITCHELL.....AYE  
21 W. KOLB.....AYE  
23 J. TORTOMASI.....AYE  
25 K. CUMMINGS.....NAY  
27 D. PAULSON.....AYE  
29 T. BULLERMANN.....AYE  
31 V. STROUD.....AYE  
33 D. PAVELKO.....AYE  
35 C. SEITZ.....AYE

2 R. THELEN.....AYE  
4 H. CARLSON.....AYE  
6 D. BROESCH.....AYE  
8 J. DWYER.....AYE  
10 S. WOLFF.....AYE  
12 J. GRIFFIN.....AYE  
14 A. KALLIN.....AYE  
16 R. MANKE.....AYE  
18 B. MORRIS.....AYE  
20 M. KIPP.....AYE  
22 G. BRUCE.....AYE  
24 B. KRAMER.....AYE  
26 S. KLEIN.....AYE  
28 P. JASKE.....AYE  
30 K. NILSON.....AYE  
32 P. GUNDRUM.....AYE  
34 R. SINGERT.....

TOTAL AYES-33

TOTAL NAYS-01

CARRIED X

DEFEATED \_\_\_\_\_

UNANIMOUS \_\_\_\_\_

TOTAL VOTES-34